

Application No. 09/827,568
Amendment Dated November 26, 2003
Reply to Office Action of August 27, 2003

REMARKS

I. Summary of Office Action

Claims 1-33 are pending in this application.

The Information Disclosure Statement (hereinafter "IDS") filed April 15, 2002 (Paper No. 6) fails to comply with 37 C.F.R. § 1.98(a)(2) which requires a legible copy of each U.S. and foreign patent, each publication, and all other information listed. The IDS has been placed in the application file but the information referred to therein has not been considered.

Claims 1 and 16 have been objected to because of an informality.

Claims 1-33 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker et al. U.S. Patent 6,110,041 (hereinafter "Walker").

II. Applicants' Reply to the Failure of the IDS to Comply with 37 C.F.R. § 1.98(a)(2)

Applicants wish to thank the Examiner for her time during the November 11, 2003 telephonic interview between the Examiner and undersigned agent. During the telephonic interview, the IDS filed April 15, 2002 was discussed. The

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Examiner informed the undersigned agent that the Examiner was in receipt of the references cited in the IDS and therefore, applicants did not need to re-send the references. The Examiner further informed the undersigned agent that in response to receiving this Reply To Office Action, the Examiner would then consider the references cited in the IDS and return an initialed Form PTO-1449 with the next communication.

III. Applicants' Reply to the Objection of Claims 1 & 16

Claims 1 and 16 have been objected to because of the following informality: "the claimed limitation 'a configuration' should be corrected to 'the configuration'" (Office Action, p. 2, lines 9-11, emphasis removed).

Applicants respectfully submit that the claimed feature "storing a configuration ..." is the first instance in which the term "configuration" is introduced in claims 1 and 16. Therefore, the term "configuration" does not have an antecedent basis that would require the claimed feature to be changed to "storing the configuration ...". Accordingly, the Examiner's objection to claims 1 and 16 should be withdrawn.

IV. Applicants' Reply to the Rejection of Claims 1-33

Claims 1-33 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker. Applicants have amended claims 1 and 16 to more particularly define applicants' invention. Dependent claims 12, 14-15, 17-20, 26, and 28-31 have also been amended to be consistent with the amendments made to respective independent claims 1 and 16. No new matter has been added and the amendments are fully supported by the specification. The Examiner's rejections are respectfully traversed.

Applicants' claims 1-33 are directed to a system and method for providing a consistent wagering interface on different types of wagering platforms. A first wagering interface is configured on a first type of wagering platform (e.g., television platform, computer platform, telephone platform). A configuration of the first wagering interface is stored. A second wagering interface is displayed on a second type of wagering platform. The second wagering interface is consistent with the configuration of the first wagering interface and the second type of wagering platform is different than the first type of wagering platform.

Walker refers generally to a gaming system and method that allows casino players the ability to customize slot machines according to the player's playing preferences (Walker, col. 2, lines 13-20). Slot machines are networked to a central server that stores information about a player's preferences. When a player inserts a player tracking card into a slot machine, identification data stored on the player tracking card is transmitted to the central server. The central server accesses and transmits the associated player preferences to the slot machine. The slot machine configures the game to operate based on the player preferences that it receives (Walker, abstract, lines 1-8; col. 3, lines 33-41).

The Examiner contends that Walker and what is well known to a person of ordinary skill in the art together teach a system and method for providing wagering interfaces as defined by applicants' independent claims 1 and 16. Applicants respectfully submit that Walker does not show or suggest providing wagering interfaces on "a first type of wagering platform" and "a second type of wagering platform," wherein "the second type of wagering platform is different than the first type of wagering platform" as recited in applicants' independent

claims 1 and 16. Instead, Walker shows only one type of gaming device used to adapt to playing preferences: slot machines (Walker, col. 2, lines 13-20). Unlike applicants' approach where different types of wagering platforms are used, Walker shows using only one type of gaming device.

With respect to what is well known to a person of ordinary skill in the art, the Examiner has failed to point to any particular reference that shows "a first type of wagering platform" and "a second type of wagering platform," wherein "the second type of wagering platform is different than the first type of wagering platform" as recited in applicants' independent claims 1 and 16.

Therefore, whether taken alone or in combination, Walker and what is well known to a person of ordinary skill in the art fail to show applicants' invention as defined by independent claims 1 and 16.

Moreover, applicants respectfully submit that the Examiner has failed to point to any suggestion or motivation to modify Walker to include the features of applicants' invention, as defined by independent claims 1 and 16. In particular, the Examiner merely states that:

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"[i]t would have been obvious to a person of ordinary skill in the art at the time the invention was made to display the wagering configuration on the second game machine in order to allow the player to check the configuration the player selects on the first platform"

(Office Action, p. 3, lines 11-14).

Therefore, because Walker, and what is well known to a person of ordinary skill in the art, whether taken alone or in combination, fail to show all the features of applicants' invention as defined by independent claims 1 and 16, and because the Examiner has failed to point to a suggestion or motivation to modify Walker to include all the features recited in independent claims 1 and 16, applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness (MPEP § 2142).

For at least the foregoing reasons, independent claims 1 and 16 are in condition for allowance. Claims 2-15 and 17-33, which depend from independent claims 1 and 16, respectively, are also in condition for allowance. Applicants respectfully submit that the rejection of the claims be withdrawn.

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V. New Claims 34-48

Applicants have added new claims 34-48. New claims 34-48 are directed to machine-readable media for providing features similar to those of claims 1-15 and 16-33. Because it has been shown from the foregoing that claims 1-15 and 16-33 are patentable, claims 34-48 are also patentable.

VI. Conclusion

Applicants respectfully submit that this application, including claims 1-48, is in condition for allowance. Accordingly, prompt consideration and allowance of this application are respectfully requested.

Respectfully Submitted,

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